

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRTIETH REGION**

WISCONSIN BOX COMPANY

Employer

Case 30-RD-1518

and

BARRY MEURET, An Individual

Petitioner

and

**MIDWESTERN COUNCIL OF INDUSTRIAL WORKERS,
LOCAL UNION NO. 3157, UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS OF AMERICA**

Union

**ORDER WITHDRAWING NOTICE OF REPRESENTATION HEARING AND
DISMISSING PETITION**

Pursuant to a petition filed in the above-captioned case on March 18, 2010, a Notice of Hearing issued on March 20, 2010. An Order Rescheduling Hearing issued on March 30, 2010, scheduling the hearing for April 6, 2010. An Order to Show Cause as to why the petition should not be dismissed pursuant to the Board's contract-bar doctrine issued on April 1, 2010. No party responded to that Order. Inasmuch as no evidence was presented to the contrary, I find that the current collective bargaining agreement automatically renewed itself by its terms for the period of February 1, 2010 to January 31, 2011. Therefore, the above-captioned petition is untimely under the Board's long established contract-bar doctrine. *Hexton Furniture Co.*, 111 NLRB 342 (1955); *Deluxe Metal Furniture*, 121 NLRB 995 (1958); *ALJUD Licensed Home Care Services*, 345 NLRB 1089 (2005); *Jackson Terrace Associates*, 346 NLRB 180 (2005).

Accordingly, it is hereby

ORDERED that the Notice of Representation Hearing and Order Rescheduling Hearing heretofore issued in this case be, and they hereby are, withdrawn, and

IT IS FURTHER ORDERED that the petition herein be, and it hereby is, dismissed.

Pursuant to Section 102.71 of the Board's Rules and Regulations, any party may obtain review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, DC 20570-0001. This request for review must contain a complete statement setting forth the facts and reasons on which it is based.

Pursuant to the Board's Rules and Regulations, Sections 102.111 – 102.114, concerning the Service and Filing of Papers, the request for review must be received by the Executive Secretary of the Board in Washington, DC by close of business **on April 19, 2010, at 5 p.m.**

(ET), unless filed electronically. Consistent with the Agency's E-Government initiative, parties are encouraged to file a request for review electronically. If the request for review is filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website **is accomplished by no later than 11:59 p.m. Eastern Time** on the due date. Please be advised that Section 102.114 of the Board's Rules and Regulations precludes acceptance of a request for review by facsimile transmission. Upon good cause shown, the Board may grant special permission for a longer period within which to file.¹ A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the E-filing system on the Agency's website at www.nlr.gov. Once the website is accessed, select the E-Gov tab, click on E-Filing, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

SIGNED at Milwaukee, Wisconsin on **April 5, 2010.**

/s/Irving E. Gottschalk
Irving E. Gottschalk, Regional Director
National Labor Relations Board
Thirtieth Region
310 West Wisconsin Avenue, Suite 700
Milwaukee, WI 53203

¹ A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.